

The Senate Rules Committee offered the following substitute to SB 442:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to obstruction of public administration and related offenses, so as to change certain provisions relating to false statements and writings, concealment of facts, and fraudulent documents in matters within the jurisdiction of the state or political subdivisions; to provide for applicability to certain matters within the jurisdiction of the legislative branch of state government; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to obstruction of public administration and related offenses, is amended by revising Code Section 16-10-20, relating to false statements and writings, concealment of facts, and fraudulent documents in matters within the jurisdiction of the state or political subdivisions, as follows:

"16-10-20.

(a) A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation as to a material fact; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry as to a material fact, in any matter within the jurisdiction of any department or agency of state government, the legislative branch of state government, or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

(b) With respect to any matter within the jurisdiction of the legislative branch of state government, subsection (a) of this Code section shall apply only to:

1 (1) Administrative matters, including a claim for payment, a matter related to the
2 procurement of property or services, personnel or employment practices, support
3 services, or a document required by law to be submitted to the General Assembly or any
4 office or officer within the legislative branch; and

5 (2) Any investigation or review conducted pursuant to the authority of any committee
6 or subcommittee of the General Assembly, consistent with applicable rules of the House
7 of Representatives or the Senate, including but not limited to the reception of evidence
8 from persons not members of the General Assembly in support or opposition of
9 legislation or a request for appropriation.

10 (3) This subsection shall not be applied to impair any privilege afforded by Article III,
11 Section IV, Paragraph IX of the Constitution."

12 **SECTION 2.**

13 All laws and parts of laws in conflict with this Act are repealed.